

UNITES STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

In re: Gold King Mine Release in San Juan
County, Colorado on August 5, 2015

No. 1:18-md-02824-WJ

This Document Relates to:

No. 1:16-cv-00465

No. 1:16-cv-00931

No. 1:18-cv-00319

No. 1:18-cv-00744

ORDER GRANTING SUNNYSIDE GOLD CORPORATION AND ENVIRONMENTAL
RESTORATION, LLC’S JOINT MOTION TO VOLUNTARILY DISMISS THEIR
CROSSCLAIMS AGAINST ONE ANOTHER WITH PREJUDICE

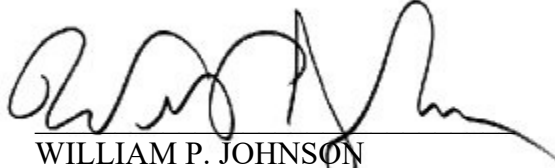
The Court, having considered Sunnyside Gold Corporation (“SGC”) and Environmental Restoration, LLC’s (“ER”) Joint Motion to Voluntarily Dismiss Their Crossclaims Against One Another with Prejudice, Doc. 1203, filed May 14, 2021, with no responses opposing the Motion having been filed, and good cause appearing, HEREBY ORDERS THE FOLLOWING:

1. SGC and ER’s Joint Motion to Voluntarily Dismiss Their Crossclaims Against One Another with Prejudice, Doc. 1203, filed May 14, 2021, is **GRANTED**.

2. SGC’s and ER’s Crossclaims against one another are **DISMISSED WITH PREJUDICE** in the following matters: *In re Gold King Mine Release in San Juan County, Colorado on August 5, 2015* (1:18-md-02824) (D.N.M.); *State of New Mexico v. USEPA, et al.* (1:16-cv-00465) (consolidated with 1:16-cv-00931) (D.N.M.); *Navajo Nation v. USEPA, et al.* (1:16-cv-00931) (consolidated with 1:16-cv-00465) (D.N.M.); *State of Utah v. Environmental Restoration, LLC, et al.* (2:17-cv-00866) (D. Utah), centralized in the United States District

Court for the District of New Mexico for pretrial proceedings (No. 1:18-cv-00319) (D.N.M.); and *Allen v. USA, et al.* (1:18-cv-00744) (D.N.M.).

3. SGC and ER shall bear their own costs, expenses, expert fees, mediator fees, and attorney fees.

A handwritten signature in black ink, appearing to read 'William P. Johnson', is written over a horizontal line.

WILLIAM P. JOHNSON
CHIEF UNITED STATES DISTRICT JUDGE